

REMARKS

Introduction

In the Office Action mailed May 14, 2007 (hereinafter "Office Action"), Claims 11, 13-14, 16-22, 35, 37-38, 40-46, 49-58, 60, and 62-68 were rejected under 35 U.S.C. § 102(b) as anticipated by Aversa et al., Load Balancing a Cluster of Web Servers, Computer Science Department, Boston University (hereinafter "Aversa"), and further in view of Stevens, TCP/IP Illustrated: the Protocol, Volume 1, Addison Wesley Longman, Inc., 1994 (hereinafter "Stevens"). Claims 12, 23, 24, 36, 47, 48, 59 and 61 were rejected under 35 U.S.C. § 103(a) as unpatentable over Aversa and further in view of U.S. Patent No. 6,085,238, issued to Yuasa et al. (hereinafter "Yuasa"). Claims 15 and 39 were rejected under 35 U.S.C. § 103(a) as unpatentable over Aversa and further in view of RFC 2003 by C. Perkins, IBM, Oct. 1996 (hereinafter "Perkins").

Claims 11, 13-17, 23, 24, 35, 37-41, 47, 48, 52, 55, 60-64, and 66 have been amended. Claims 11-24 and 35-68 remain pending in this application. Pursuant to 37 C.F.R. § 1.111 and for the reasons set forth below, applicant respectfully traverses these rejections and requests reconsideration and allowance of the pending claims.

Independent Claims 11, 35, 55, and 62

The Office Action rejected independent Claims 11, 35, 55, and 62 under 35 U.S.C. § 102(b) as anticipated by Aversa in view of Stevens. Applicant respectfully traverses these rejections. But, in the interest of advancing prosecution, amended claims are presented for consideration.

As amended, Claim 11 recites:

11. An information processing system, comprising:
a first computing device configured to receive an information packet through a wide area network and a first local area network; and in response to at least the information packet and a state of the information processing system:
when the state of the information processing system is a first state:

output a migration packet containing information representing a connection endpoint, such that the output migration packet bypasses the first local area network;

receive an acknowledgement packet that indicates that the migration packet was received; and

output the information packet, such that the output information packet bypasses the first local area network; and

when the state of the information processing system is a second state, selectively execute a software application associated with the information packet.

Support for these amended features can be found at least in FIGURES 10a-10c, and in the Specification at page 13, lines 11-14, at page 14, line 23, and at page 45, line 3, to page 47, line 25. Applicant respectfully submits that none of the cited art teaches, describes, or suggests a first computing device that: (1) outputs a migration packet containing information representing a connection endpoint; (2) receives an acknowledgement packet that indicates that the migration packet was received; and (3) then outputs an information packet such that the output information packet bypasses the first local area network as recited in amended Claim 11.

Amended independent Claims 35, 55, and 62 each recites features similar to these features of Claim 11 that are not taught, disclosed, or suggested in the cited art, and applicant respectfully submits that each of these independent claims is allowable at least for the same reasons as independent Claim 11. Therefore, applicant respectfully submits that independent Claims 11, 35, 55, and 62 are all patentable, and respectfully requests withdrawal of the 35 U.S.C. § 102(b) rejections and allowance of the claims.

Dependent Claims 12-24, 36-54, 56-61, and 63-68

Dependent Claims 12-24 and 49-51 depend from Claim 11. Claims 36-48 and 52-54 depend from Claim 35. Claims 56-61 depend from Claim 55. Claims 63-68 depend from Claim 62. Applicant respectfully submits that these claims are allowable at least by virtue of these dependencies, as well as by virtue of the additional claim features set forth therein.

Specifically, with regard to Claims 14, 38, and 60, applicant respectfully submits that none of the cited art teaches, discloses, or suggests outputting an encapsulation packet, the

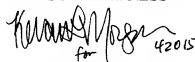
encapsulation packet including the information packet, a flag indicating that the packet is an encapsulation packet, and information representing a connection with the client, as recited in Claims 14, 38, and 60. Also, with regard to Claim 64, applicant respectfully submits that none of the cited art teaches, discloses, or suggests encapsulating the information packet with a header that includes the reference to the connection endpoint and a flag indicating that the packet is an encapsulated packet, as recited in Claim 64. Further, applicant submits that the cited art does not teach, disclose or suggest the information representing the connection with the client and the flag indicating that the packet is an encapsulation packet are included within a single header of the encapsulation packet, as recited in Claims 15 and 39.

Accordingly, applicant respectfully submits that Claims 12-24, 36-54, 56-61, and 63-68 are patentable for at least these reasons, and respectfully requests withdrawal of the 35 U.S.C. § 102(b) and § 103(a) rejections, and allowance of the claims.

CONCLUSION

In view of the foregoing amendments and remarks, applicant submits that the claims are in condition for allowance over the cited and applied references, and respectfully requests reconsideration and allowance of the same. The Examiner is invited to contact applicant's attorney at the number provided below to resolve any issues that may arise in order to advance prosecution of this application.

Respectfully submitted,
CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}

Handwritten signature of Rodney C. Tullett in black ink, with the word "for" written below it and the date "4/20/15" to the right.

Rodney C. Tullett
Registration No. 34,034
Direct Dial No. 206.695.1730

RCT/DPS:lal/nfs

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100